



September 1, 2023

VIA ECF

Hon. James M. Wicks
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 1020
Central Islip, New York 11722

Re: *LaMarco v. Suffolk County* 22 Civ. 04629 (GRB)(JMW)

Your Honor,

I represent the plaintiffs, Thomas and Diane LaMarco, in the above-referenced matter. I write on behalf of both parties to request an extension of the current discovery deadlines.

Since the court conference on June 17, 2023, the depositions of the two plaintiffs have been conducted and completed. When discussing dates of availability to depose two of the individually named defendants, the soonest date available for the County was November 3, 2023, which runs past the current deadline of October 23, 2023 for the completion of fact depositions. A review of my calendar revealed a conflict with a hearing date before the Eastern District of California in the matter of *Baird v. Bonta*, 2:19-cv-00617-KJM-AC on November 3, 2023.¹

The parties have tentatively scheduled, pending the Court's approval of the within request, the depositions of defendants Sgt. Walsh and Officer Plihcik, for November 16 and November 21, respectively. Below is the current schedule and the parties' proposed revised deadline.

Current Schedule:

- Completion of fact depositions: October 23, 2023;
- Identification of experts: Neither party anticipates the use of experts;
- Close of all discovery: November 6, 2023;
- Final date for 1st Step in SJ to be Taken: November 20, 2023.

¹ While the CAED docket reflects an October 13, 2023 hearing date, the State will be filing a motion and stipulation to continue the hearing to November 3, 2023, which is anticipated to be granted by the CAED court.

Proposed Schedule:

- Completion of fact depositions: December 20, 2023;
- Identification of experts: Neither party anticipates the use of experts;
- Close of all discovery: January 15, 2023;
- Final date for 1st Step in SJ to be Taken: January 30, 2024.

Thank you for the Court's consideration in this matter.

Very truly yours,

Amy L. Bellantoni
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